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**Admitted in New Jersey*

November 9, 2023

BY ECF FILING

Hon. Paul G. Gardephe
U.S. District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: SEC v. Garelick, et al.,
23 CV 5567

Dear Judge Gardephe:

I write on behalf of all parties to this case to request that the Court adjourn the date by which the parties must file the Rule 26(f) Discovery Management Plan and Scheduling Order to a date two weeks after The Court rules on the United States' motion to stay further proceedings in this matter, if it denies that motion. The reasons for this application are as follows.

The United States Attorney's Office recently moved to intervene in and stay further proceedings in this matter while a companion criminal case is pending. The motion to stay has been fully briefed and is now sub judice.

While my predictive powers are not perfect and my memory is not perfect either, long experience tells me that the Court may well grant the U.S. Attorney's motion to stay this matter. In these circumstances, the parties do not believe it makes sense for them to file the Rule 26(f) Discovery Management Plan today, since we suspect any dates and proceeding set in that plan will likely be stayed by the Court's Order.

Therefore, I respectfully request that you order the parties to file any Rule 26(f) order only in the event the Court denies the U.S. Attorney's motion to stay proceedings in this action, and on a date two weeks after any such order is entered in this matter. That appears to be the most efficient way to proceed to the parties. And, as noted above, all parties agree to this procedure.

If the Court is inclined to grant this application, it may do so by executing this letter at the "So Ordered" signature line below.

Respectfully submitted,

Roland G. Riopelle

Roland G. Riopelle

Cc: All Parties (By ECF Filing)

The parties having jointly made an application to adjourn their time to file a Rule 26(f) Civil Case Management Plan to a date two weeks after the Court rules on the United States Attorney's Office's motion to stay further proceedings herein, and only in the event that the Court denies the United States Attorney's Motion, and good cause appearing to grant this application,

IT IS ORDERED that the parties' obligation to file a Rule 26(f) Civil Case Management Plan is hereby adjourned to a date two weeks after the Court rules on the United States Attorney's Office's motion to stay further proceedings herein, and the parties will only be required to file a Rule 26(f) Management Plan at that time only if the Court has denied the United States' motion to stay further proceedings in this matter.

SO ORDERED:

Paul G. Gardephe

HON. PAUL G. GARDEPHE
U. S. D. J.

Dated: November 10, 2023